

Message Text

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ACTION OES-07

INFO OCT-01 AF-10 ARA-10 EUR-12 EA-10 ISO-00 ACDA-12
AGRE-00 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00
COME-00 DLOS-09 DODE-00 DOTE-00 EB-08 EPA-01
SOE-02 DOE-11 FMC-01 TRSE-00 H-01 INR-07 INT-05
IO-13 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OMB-01
PA-01 PM-05 PRS-01 SP-02 SS-15 USIA-06 NEA-10
OIC-02 /179 W

-----106446 101659Z /45

R 101446Z JAN 78
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC 5901
INFO AMEMBASSY SAN JOSE
AMEMBASSY PANAMA
AMEMBASSY MANAGUA
AMEMBASSY PARIS
AMEMBASSY TOKYO
AMEMBASSY GUATEMALA
AMEMBASSY TEGUCIGALPA
AMEMBASSY SAN SALVADOR
AMEMBASSY BOGOTA
AMEMBASSY QUITO
AMEMBASSY LIMA
AMEMBASSY SANTIAGO
AMEMBASSY CARACAS
AMEMBASSY MADRID
AMCONSUL HAMILTON
AMEMBASSY LONDON
AMEMBASSY DAKAR
AMEMBASSY WELLINGTON
AMCONSUL CURACAO

C O N F I D E N T I A L SECTION 01 OF 02 OTTAWA 00137

E.O. 11652: GDS
TAGS: EFIS, PFOR, PLOS, CA
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SUBJECT: CONSERVATION AND MANAGEMENT OF TUNA IN EASTERN
PACIFIC

REF: 77 STATE 292123

IN DECEMBER 13 LETTER TO EXTAFF, EMBASSY OUTLINED U.S.
CONCERNS REGARDING MEXICAN AND COSTA RICAN PROPOSAL AND

SOLICITED CANADIAN VIEWS ON PROPOSAL PER INSTRUCTIONS
PARA 13 REFTEL. LETTER QUOTED BELOW FROM ERIK B. WANG,
DIRECTOR EXTAFF LEGAL OPERATIONS DIVISION, IS GOC REPLY:

BEGIN TEXT:

"IN YOUR LETTER OF DECEMBER 13, 1977, YOU SOUGHT THE VIEWS
OF THE GOVERNMENT OF CANADA ON THE SUBSTANCE OF THE
MEXICAN-COSTA RICAN PROPOSAL ADVANCED AT THE CONFERENCE OF
PLENIPOTENTIARIES IN SAN JOSE, COSTA RICA LAST SEPTEMBER.
"CANADA SHARES THE VIEWS OF THE UNITED STATES THAT AN
INTERNATIONAL ORGANIZATION IS REQUIRED FOR EFFECTIVE
CONSERVATION OF TUNA IN THE EASTERN TROPICAL PACIFIC. YOU
ARE ALREADY AWARE, HOWEVER, THAT CANADA RECOGNIZES THE
RIGHT OF COASTAL STATES TO MANAGE FISHERIES FOR HIGHLY
MIGRATORY SPECIES WITHIN NATIONAL FISHERIES WATERS, AND
TO ENFORCE ITS LAWS WITH RESPECT TO FISHING FOR SUCH
SPECIES WITHIN WATERS UNDER ITS JURISDICTION.

"YOU RAISED FOUR SPECIFIC POINTS IN YOUR LETTER WITH
RESPECT TO ALLOCATION, ENFORCEMENT AND MEMBERSHIP AND
VOTING PROCEDURES IN A NEW ORGANIZATION.

"1. ALLOCATION

"CANADA HAS ESSENTIALLY AN OPEN MIND ON THIS SUBJECT WITH
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THE PROVISIO THAT ANY SYSTEM FOR ALLOCATION OF CATCHES
MUST REFLECT THE NATURE OF THE RESOURCE AND THE RIGHTS
OF COASTAL STATES WITHIN 200-MILE FISHING ZONES.

"2. ENFORCEMENT

"WITHIN NATIONAL FISHERIES WATERS, THE COASTAL STATE
MUST ENFORCE THE REGULATIONS DEVELOPED INTERNATIONALLY.
ON THE HIGH SEAS, WE WOULD FORESEE A CONTINUATION AND
ELABORATION OF THE PRESENT SYSTEM OF FLAG STATE ENFORCE-
MENT VIA RADIO REPORTING AND PORT INSPECTIONS. WE COULD
ALSO SUPPORT THE ESTABLISHMENT OF AN INTERNATIONAL IN-
SPECTION SCHEME BUT ARE CONCERNED ABOUT THE COSTS OF SUCH
A SCHEME.

"3. VOTING/MEMBERSHIP

"CANADA SHARES THE VIEWS EXPRESSED IN YOUR LETTER WITH
RESPECT TO MEMBERSHIP OF A NEW ORGANIZATION, BUT WOULD
SUGGEST, SAY, A TWO-THIRDS MAJORITY RULE IN VOTING. ANY
OBJECTION PROCEDURES WOULD HAVE TO BE SUITABLY CIRCUM-
SCRIBED TO ENSURE CONTRACTING PARTIES COULD NOT ESCAPE

THEIR OBLIGATIONS. WE WOULD ALSO SUPPORT A COASTAL STATE VETO WITH RESPECT TO CONSERVATION MEASURES WITHIN ITS 200-MILE ZONE.

"WE AGREE WITH YOU THAT ALL PARTICIPANTS AT THE NEXT ROUND OF NEGOTIATIONS MUST BE PREPARED TO ADDRESS THE SUBSTANCE OF THE ISSUES. CANADA BELIEVES THAT, WHILE THE SAN JOSE DOCUMENT WAS USEFUL, IT WOULD BE PREFERABLE TO DEVELOP A "NEGOTIATING TEXT" BEFORE THE NEXT ROUND. THE PRESENCE OF SUCH A TEXT WOULD, IN OUR VIEW, BE OF CONSIDERABLE VALUE IN MAKING FURTHER PROGRESS TOWARD AN AGREEMENT.

"WITH RESPECT TO TIMING, CANADA FAVOURS THE RESUMPTION OF
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NOTE BY OC/T: REFERENCE BELIEVED INCORRECT.

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C O N F I D E N T I A L SECTION 02 OF 02 OTTAWA 00137

IATTC NEGOTIATIONS PRIOR TO THE NEXT SESSION OF THE LAW
OF THE SEA CONFERENCE. AS MEXICO AND COSTA RICA HAVE
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ANNOUNCED THEIR INTENTION TO WITHDRAW FROM IATTC, WE MUST
MAKE SUBSTANTIAL PROGRESS TOWARDS THE REPLACEMENT OF THE
PRESENT ORGANIZATION TO ENSURE THAT THE TUNA RESOURCE IN
THE EASTERN TROPICAL PACIFIC CAN BE PROPERLY CONSERVED AND
MANAGED. END TEXT. ENDERS

NOTE BY OC/T: REFERENCE BELIEVED INCORRECT.

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Message Attributes

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Disposition Approved on Date:
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ISecure: 1
Legacy Key: link1978/newtext/t19780181/aaaacqap.tel
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Litigation Codes:
Litigation History:
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Message ID: 7fabae4-c288-dd11-92da-001cc4696bcc
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Original Previous Classification: n/a
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TAGS: EFIS, PFOR, PLOS, CA
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